

STATE OF MICHIGAN
JUDICIAL CIRCUIT - FAMILY DIVISION
WAYNE COUNTY

ORDER TERMINATING PARENTAL RIGHTS
(CHILD PROTECTIVE PROCEEDINGS)
ORDER 1 OF 2

CASE NO. 10497431
PETITION NO. 10015250
FILE COPY

Court address 1025 East Forest
Detroit, Mi 48207

Court telephone no.
313-833-5600

1. In the matter of: (name(s), alias(es), DOB)
RANDALL POPE -DOB-01/13/2003

FILED
CATHY M. GARRETT
WAYNE COUNTY CLERK

SEP 01 2011

2. Date of Hearing: 08/30/2011 Judge/Referee: JEROME C CAVANAGH

54872

3. Removal date: 01/5/10

Bar no.

4. An adjudication was held and the child(ren) was/were found to come within the jurisdiction of the court.
5. A petition to terminate parental rights has been filed and notice of hearing on the petition was given as required by law.
6. Specific findings of fact and law regarding this proceeding have been made on the record or by separate written opinion of the court.

THE COURT FINDS:

7. ☒ a. Reasonable efforts were made to preserve and unify the family to make it possible for the child(ren) to safely return to the child(ren)'s home. Those efforts were unsuccessful.
☐ b. Reasonable efforts were not made to preserve and unify the family because it was previously determined in a prior court order to be detrimental to the child(ren)'s health and safety.
☐ c. Reasonable efforts were not required to preserve and reunify the family as determined in a prior court order.
(This requires a permanency planning hearing within 28 days.)
☐ 8. The child(ren) is/are members(s) Indian as defined in MCR 3.002(5).
☐ a. Active efforts have not been made.
☐ b. Active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family. These efforts have proved unsuccessful and there is evidence beyond a reasonable doubt, including qualified expert witness testimony, that continued custody of the child(ren) by the parent(s) or Indian custodian will likely result in serious emotional or physical damage to the child(ren).
☐ c. Active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family. These efforts have proved successful and there is not evidence beyond a reasonable doubt, including qualified expert witness testimony, that continued custody of the child(ren) by the parent(s) or Indian custodian will likely result in serious emotional or physical damage to the child(ren).

9. There is clear and convincing evidence that a statutory basis exists for terminating the parental rights of

CHRYSTAL L. POPE, RANDALL S. OVERTON

, parent(s) of the child(ren).

Name(s) of parent(s)

10. Termination of parental rights ☒ is ☐ is not in the best interest of the child(ren).

IT IS ORDERED:

11. The parental rights of

CHRYSTAL L. POPE, RANDALL S. OVERTON

Name(s) of parent(s)

are terminated, and additional efforts for reunification of the child(ren) with the parent(s) shall not be made.

12. ☐ a. The child(ren) is/are continued in the temporary custody of this court and remain in placement with the Department of Human Services for care and supervision
☒ b. The child(ren) is/are committed to the Department of Human Services, for permanency planning, supervision, care, and placement under MCL 400.203.

13. The Director of the Michigan Department of Human Services is appointed special guardian to receive any benefits now due or to become due the child(ren) from the government of the United States.

☒ 14. Other: (include reimbursement provisions as required by MCL 712A.18(2), attach a separate sheet)

15. The court reserves the right to enforce payments of reimbursement that have accrued up to and including the date of this order.

☐ 16. The supplemental petition to terminate the parental rights of _____ is denied.

17. A ☒ review hearing ☒ permanency planning hearing will be held 11/29/2011 09:30AM

Date

Recommended by:

Referee signature

9-1-11

NO LOAD

Date

Load Number

Judge

CAVANAGH, JEROME, C.

NOTE: If a child remains in foster care and parental rights are terminated in accordance with MCL 712A.19a(2), a permanency planning hearing must be held within 28 days. If proper notice has already been given, the permanency planning hearing can be conducted immediately following the termination hearing. This is especially useful in obtaining a uniform date for future permanency planning hearings when parental rights have been terminated to more than one child and the removal dates of the children are different. Use form JC 76.

USE NOTE: Do not use this form when terminating parental rights after release pursuant to the adoption code.

Do not write below this line - For Court use only

9-7-11

STATE OF MICHIGAN
JUDICIAL CIRCUIT - FAMILY DIVISION
WAYNE COUNTY

ORDER TERMINATING PARENTAL RIGHTS
(CHILD PROTECTIVE PROCEEDINGS)
ORDER 2 OF 2

CASE NO. 10497431
PETITION NO. 10015250
FILE COPY

Court address 1025 East Forest
Detroit, Mi 48207

Court telephone no.
313-833-5600

1. In the matter of: (name(s), alias(es), DOB)
DAIZY SUE POPE -DOB-06/23/1996

FILED
SATHY M. GARRETT
WAYNE COUNTY CLERK

SEP 01 2011

2. Date of Hearing: 08/30/2011 Judge/Referee: JEROME C CAVANAGH

54872

3. Removal date: 11/5/10

Bar no.

4. An adjudication was held and the child(ren) was/were found to come within the jurisdiction of the court.

5. A petition to terminate parental rights has been filed and notice of hearing on the petition was given as required by law.

6. Specific findings of fact and law regarding this proceeding have been made on the record or by separate written opinion of the court.

THE COURT FINDS:

7. ☒ a. Reasonable efforts were made to preserve and unify the family to make it possible for the child(ren) to safely return to the child(ren)'s home. Those efforts were unsuccessful.
☐ b. Reasonable efforts were not made to preserve and unify the family because it was previously determined in a prior court order to be detrimental to the child(ren)'s health and safety.
☐ c. Reasonable efforts were not required to preserve and reunify the family as determined in a prior court order.
(This requires a permanency planning hearing within 28 days.)

☐ 8. The child(ren) is/are member(s) Indian as defined in MCR 3.002(5).

- ☐ a. Active efforts have not been made.
☐ b. Active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family. These efforts have proved unsuccessful and there is evidence beyond a reasonable doubt, including qualified expert witness testimony, that continued custody of the child(ren) by the parent(s) or Indian custodian will likely result in serious emotional or physical damage to the child(ren).
☐ c. Active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family. These efforts have proved successful and there is not evidence beyond a reasonable doubt, including qualified expert witness testimony, that continued custody of the child(ren) by the parent(s) or Indian custodian will likely result in serious emotional or physical damage to the child(ren).

9. There is clear and convincing evidence that a statutory basis exists for terminating the parental rights of

CHRYSTAL L. POPE

, parent(s) of the child(ren).

Name(s) of parent(s)

10. Termination of parental rights ☒ is ☐ is not in the best interest of the child(ren).

IT IS ORDERED:

11. The parental rights of

CHRYSTAL L. POPE

Name(s) of parent(s)

are terminated, and additional efforts for reunification of the child(ren) with the parent(s) shall not be made.

12. ☒ a. The child(ren) is/are continued in the temporary custody of this court and remain in placement with the Department of Human Services for care and supervision

☐ b. The child(ren) is/are committed to the Department of Human Services, for permanency planning, supervision, care, and placement under MCL 400.203.

13. The Director of the Michigan Department of Human Services is appointed special guardian to receive any benefits now due or to become due the child(ren) from the government of the United States.

☒ 14. Other: (include reimbursement provisions as required by MCL 712A.18(2), attach a separate sheet)

15. The court reserves the right to enforce payments of reimbursement that have accrued up to and including the date of this order.

☐ 16. The supplemental petition to terminate the parental rights of _____ is denied.

17. A ☒ review hearing ☒ permanency planning hearing will be held 09/16/2011 10:00AM

Date

Recommended by:

Referee signature

Date

Load Number

Judge CAVANAGH, JEROME, C.

NOTE: If a child remains in foster care and parental rights are terminated in accordance with MCL 712A.19a(2), a permanency planning hearing must be held within 28 days. If proper notice has already been given, the permanency planning hearing can be conducted immediately following the termination hearing. This is especially useful in obtaining a uniform date for future permanency planning hearings when parental rights have been terminated to more than one child and the removal dates of the children are different. Use form JC 76.

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Do not write below this line - For Court use only

THIRD JUDICIAL CIRCUIT OF MICHIGAN
COUNTY OF WAYNE
FAMILY DIVISION - JUVENILE SECTION

(Child Protective Proceedings)

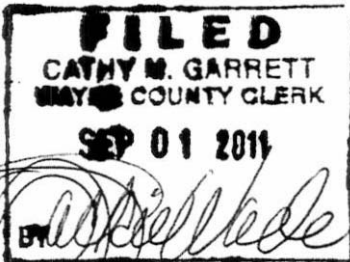
IN THE MATTER OF:

FILE NO.10-497431
PETITION NO. 10015250

POPE, Daizy S. (DOB 06/23/1996)
POPE, Randall (DOB 01/13/2003)

HON. JEROME C. CAVANAGH

OPINON & ORDER FOLLOWING BENCH TRIAL
(ATTACHMENT TO JC 63)



At a said session of said Court held at
Lincoln Hall of Juvenile Justice in
the City of Detroit, Wayne County, Michigan
on: August 30, 2011

PRESENT: Hon. JEROME C. CAVANAGH
CIRCUIT COURT JUDGE

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Based on the evidence presented and the Court taking judicial notice of the legal file, the Court finds by a preponderance of the evidence that the children, Daizy Pope and Randall Pope, come within the provisions of the Juvenile Code, MCL 712A.2b based on the evidence of sexual abuse and failure to protect.

The Court further finds that the allegations in the petition to be substantiated and determines by clear and convincing evidence that termination of the parental rights of the Chrystal Pope to the children Daizy Pope and Randall Pope and Randall Overton to the child Randall Pope is justified at this initial disposition pursuant to MCL 712A.19b (4) based on the following statutory grounds :

As to the mother, Chrystal Pope, the grounds for terminating her parental rights to the children are MCL 712A.19b(3)(b)(i), (b)(ii), (g).

As to Randall Overton the grounds for terminating his parental rights to Randall Pope are MCL 712A.19b(3)(b)(i) and (n)(i).

The court also considers MCL 712A.19b(5), "the best interests of the children" and finds

no compelling evidence to find that termination of parental rights as outlined above is not clearly in the children's best interests.

The parental rights of Chrystal Pope to Daizy Pope and Randall Pope and of Randall Overton to Randall Pope are hereby terminated.

The child, Daizy Pope is made a temporary court ward.

The child, Randall Pope is made a permanent court ward and is committed to the Michigan Department of Human Services for adoptive supervision, planning and placement.

Appeal rights provided on the record.

9-1-11

Date

Judge Jerome C. Cavanagh

P-54872

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